

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 05/11/2018

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NEW YORK WHEEL OWNER LLC,

Plaintiff,

-v-

MAMMOET-STARNETH LLC et al.,

Defendants.
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17-CV-4026 (JMF)

ORDER OF DISMISSAL

JESSE M. FURMAN, United States District Judge:


The Court commends the parties on their success in arriving at a conditional global settlement. (Docket No. 187). In light of the settlement, the Court sees no reason to keep the case on the active docket. Accordingly, it is ORDERED that the action (including all counterclaims, cross-claims, and third-party claims) be and is hereby dismissed and discontinued without costs, and without prejudice to the right of any party to reopen the action by **October 5, 2018**, if the settlement is not approved by the Bankruptcy Court, is terminated, or the conditions of the global settlement are not met.

To be clear, any application to reopen must be filed by October 5, 2018; any application to reopen filed thereafter may be denied solely on that basis. Further, if the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court within the same time period to be “so ordered” by the Court. Per Paragraph 4(B) of the Court’s Individual Rules and Practices for Civil Cases, unless the Court orders otherwise, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Any pending motions are moot (but shall be reinstated in the event the case is reopened). All conferences are vacated. The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: May 11, 2018
New York, New York



JESSE M. FURMAN
United States District Judge